

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. 13-cv-2080-MMA-BGS

Date Issued:

**FILED**  
9/5/13

SEP 19 2013

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *KCM* DEPUTY**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 40)*This summons for (name of individual and title, if any) Julio Mayen, Plaintiff  
was received by me on (date) 9-5-13.☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
on (date) \_\_\_\_\_; or☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or☒ I served the summons on (name of individual) CT Corporation System, who is  
designated by law to accept service of process on behalf of (name of organization) Bank of America N.A.  
on (date) 9-5-13; or☐ I returned the summons unexecuted because \_\_\_\_\_; or☐ Other (specify): \_\_\_\_\_My fees are \$ 0 for travel and \$ 10.00 for services, for a total of \$ 10.00.

I declare under penalty of perjury that this information is true.

Date: 9-5-13*Pamela Chyba*  
Server's signaturePamela Chyba  
Printed name and title40:7734 Magdalena Way, Carlsbad, Ca  
Server's address 92009**NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE JUDGE**

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE JUDGE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE JUDGE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGMENTS OF THE U.S. MAGISTRATE JUDGES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.